

### AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheets," which include Figures 1-16, replace the original sheets including Figures 1-16.

Attachment: Replacement Sheets

### **REMARKS**

Claims 1-16 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

The Applicants and their attorney would like to express their thanks to the Examiner and his Supervisor for the telephonic interview conducted December 21, 2007. During this interview claims 1-3 were discussed the Examiner suggested being more clear as to the nature of "an image" in claim 1.

### **THE DRAWINGS**

The Drawings have been revised to group Figures 5 and 8 onto one sheet as requested.

### **REJECTION UNDER 35 U.S.C. § 101**

Claim 13 stands rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

Claim 13 has been amended to recite computer-readable medium and is thus now believed to comport with the current USPTO standards regarding statutory subject matter. Reconsideration is respectfully requested.

### REJECTION UNDER 35 U.S.C. § 102 AND § 103

Claims 1-2, 4-14 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Daugman (U.S. Pat. No.5,291,560; "Daugman"). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Daugman in view of Flom et al. (U.S. Pat. No. 4,641,349). Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Daugman in view of Jones et al. (U.S. 2002/0107801). These rejections are respectfully traversed.

The applicants' invention is concerned with discriminating between a counterfeit eye (or counterfeit bill or document) produced by making a photocopy of a genuine eye (or bill or document). The applicants' process is able to distinguish real from photocopy by examining the roughness of the input image.

In contrast, the prior art references are involved with discriminating between the eye of one person vs. the eye of another person. The prior art would be used, for example, to authenticate a person by matching his or her eye characteristics with that of the stored characteristics obtained during registration.

In order to more fully distinguish the applicants invention from the cited art, independent claims 1, 10, 13 and 15 have been amended to recite that the received image data is of a photocopy. This amendment is believed to be in accordance with the suggestion of the Examiner, and is believed to render these claims and all claims dependent thereon to be allowable.

Applicants would further urge that claim 16 is allowable without requiring amendment. Claim 16 recites that the image is judged to be "an image projecting a printed matter" which would not be the case when examining actual human eyes (as

done by the prior art references). Thus claim 16 is believed to distinguish over the art of record.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated:

June 11, 2008

By:

Gregory A. Stobbs

Gregory A. Stobbs  
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

GAS/sjr